

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

M-10-915

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UNITED STATES OF AMERICA

C O M P L A I N T
(21 U.S.C. § 963)

- against -

DENNY ABINADER,

Defendant.

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EASTERN DISTRICT OF NEW YORK, SS:

MEREDITH LEUNG, being duly sworn, deposes and states that she is a Special Agent of United States Immigration and Customs Enforcement ("ICE"), duly appointed according to law and acting as such.

Upon information and belief, in or about and between January 2000 and November 2006, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant DENNY ABINADER, together with others, did knowingly and intentionally conspire to import a controlled substance into the United States from a place outside thereof, which offense involved in excess of 1 kilogram of heroin, a Schedule I controlled substance, 5 kilograms of cocaine, a Schedule II controlled substance, and a quantity of MDMA, a Schedule I controlled substance, in violation of Title 21, United States Code, Section 952(a).

Title 21, United States Code, Sections 963, 960(a)(1), 960(b)(1)(A) and 960(b)(1)(B).

The source of your deponent's information and the grounds for her belief are as follows:¹

1. I am a special agent of ICE, duly appointed according to law and acting as such. I have been a special agent for over twelve years and am currently assigned to the John F. Kennedy International Airport ("JFK") internal conspiracy group. During my tenure with ICE, I have participated in numerous narcotics investigations during the course of which I have (a) conducted physical surveillance of suspected drug traffickers; (b) prepared affidavit underlying the issuance of arrest and search warrants; (c) conducted electronic surveillance and reviewed and analyzed numerous taped conversations; and (d) debriefed cooperating drug traffickers.

2. Cooperating Witness #1 ("CW1") has pleaded guilty in the Eastern District of New York to a narcotics felony pursuant to a cooperation agreement. Information that CW1 has provided has proven to be reliable and has been corroborated by, among other means, physical surveillance, conversations recorded through court authorized-electronic surveillance, and statements

¹ Because the purpose of this Complaint is to set forth only those facts necessary to establish probable cause, I have not described all the relevant facts and circumstances of which I am aware.

of other witnesses.

3. Cooperating Witness #2 ("CW2") pleaded guilty in the Eastern District of New York to a narcotics felony pursuant to a cooperation agreement. Information that CW1 has provided has proven to be reliable and has been corroborated by, among other means, physical surveillance, conversations recorded through court authorized-electronic surveillance, and statements of other witnesses.

4. CW1 stated to me in sum and substance that CW1 and the defendant DENNY ABINADER imported heroin, cocaine and MDMA into the United States from the Dominican Republic from approximately January 2000 through at least January 2006. As part of means and methods of the drug importations, CW1 recruited couriers to assist in the smuggling of cocaine and heroin from the Dominican Republic to the United States. CW1 states that the defendant DENNY ABINADER often supplied couriers in the Dominican Republic with pellets of heroin so that they could swallow them and bring them to the United States and the defendant ABINADER also often paid the couriers for importing the drugs. Additionally, between approximately May 2005 and at least September 2005, CW1 and the defendant DENNY ABINADER imported in excess of 1 kilogram of heroin, 5 kilograms of cocaine and quantities of MDMA total on at least six occasions by hiding the drugs in un-manifested baggage which was stowed by

a corrupt airline employee in Dominican Republic aboard Delta Airlines flights which were scheduled to leave the Dominican Republic and arrive at John F. Kennedy Airport in Queens, New York. Once the drugs arrived in United States, CW1 retrieved drugs and distributed them. The proceeds from the sale of the drugs was shared with the defendant DENNY ABINADER.

6. CW2 stated in sum and substance that CW2 was a courier who swallowed pellets of heroin and brought them to the United States from the Dominican Republic on behalf of CW1 and the defendant DENNY ABINADER from approximately January 2000 through May 2005. CW2 stated that at times the defendant DENNY ABINADER supplied the heroin and/or paid CW2 for the drug importations.

WHEREFORE, your deponent respectfully requests that a warrant be issued for the arrest of the defendant DENNY ABINADER so that he may be arrested and be dealt with according to law. Moreover, it is believed that if the defendant DENNY ABINADER were given advanced notice of the content of this

affidavit, ABINADER may flee the country, destroy evidence or otherwise obstruct justice. Therefore, it is respectfully request that this affidavit be sealed.



MEREDITH LEUNG
Special Agent
Immigration and Customs
Enforcement

Sworn to before me this
6th day of August 2010

THE HONORABLE ANDREW L. CARTER
UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK